

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America  
v.

Antonio AVERYTTE

Case: 2:25-mj-30037  
Assigned To : Unassigned  
Case No. Assign. Date : 1/31/2025  
Description: CMP USA V.  
AVERYTTE (DJ)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 19, 2025-January 31, 2025 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section*

*Offense Description*

18 U.S.C. 922(g)(1)

Felon in possession of a firearm and ammunition

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: January 31, 2025

City and state: Detroit, Michigan



*Complainant's signature*

Task Force Officer James Reeves - ATF

*Printed name and title*



*Judge's signature*

Honorable Kimberly Altman, U.S. Magistrate Judge

*Printed name and title*

## **AFFIDAVIT**

I, James Reeves, being duly sworn, depose and state the following:

### **I. INTRODUCTION**

1. I am a Detective with the Detroit Police Department and a Task Force Officer (TFO) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”). I have been employed with the Detroit Police Department since February 2019. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7), and I am empowered to conduct investigations and make arrests of offenses enumerated under federal law.

2. I have received extensive training at and successfully graduated from the Detroit Police Training Academy as a Police Officer. I was assigned to the Seventh Precinct after completing the Detroit Police Training Center. During my time as a patrol officer, I responded to various types of calls for service including weapons offenses, assaults, accidents, shootings and homicides. I also conducted traffic investigations, citizen complaints and independent investigations based on suspected criminal activity. In June of 2020, I was assigned to the Seventh Precinct Special Operations Unit. This unit is responsible for apprehending violent offenders, conducting drug related investigations, interviewed witnesses, interrogated suspects, managed crime scenes investigating gun related crimes, as well as preparing and executing search warrants. During my time in law enforcement, I have participated

in numerous criminal investigations involving firearms crimes, armed drug trafficking violations, and offenses by criminal street gangs, among others.

3. I make this affidavit from personal knowledge based on my participation in this investigation, including interviews conducted by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, review of reports by myself and/or other law enforcement agents, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all the information known to law enforcement related to this investigation.

4. The ATF is currently conducting a criminal investigation concerning Antonio AVERYTTE (DOB: XX/XX/1976), for violations of 18 U.S.C. § 922(g)(1) as a felon in possession of a firearm and ammunition.

## **II. PROBABLE CAUSE**

5. I reviewed records related to AVERYTTE's criminal history and learned the following:

- a. AVERYTTE was found guilty of felony carrying a concealed weapon in the Third Judicial Circuit Court, Wayne County. On or about April 27, 1994, AVERYTTE was sentenced to three years of probation;

- b. On or about February 26, 1997, AVERYTTE pleaded guilty to one count of felonious assault in the Thirtieth Judicial Circuit Court, Ingham County, and was sentenced to one year of incarceration;
- c. On or about June 14, 2000, AVERYTTE pleaded guilty to one count of felony carrying a concealed weapon in the Third Judicial Circuit Court, Wayne County, and was sentenced to nine months' incarceration;
- d. On or about June 22, 2004, AVERYTTE pleaded guilty to one count of delivery/manufacture marijuana in the Third Judicial Circuit Court, Wayne County, and was sentenced to 90 days' incarceration followed by two years of probation; and
- e. On or about August 27, 2009, AVERYTTE was charged with homicide – felony murder, assault with intent to murder, armed robbery, felon in possession of a firearm, and felony firearm in the Third Judicial Circuit Court, Wayne County. On or about February 4, 2010, AVERYTTE pleaded guilty to second degree murder and felony firearm and was sentenced to an aggregate sentence of 13–32 years' incarceration. AVERYTTE was supervised until August 30, 2024.

6. Based on my training and experience, defendants are warned of the maximum penalty when they enter a plea of guilty to a felony. Additionally, defendants are advised that they are pleading guilty to a felony. Based on the number of AVERYTTE's convictions, the time he has spent incarcerated or under supervision as a result of those convictions, and the fact that AVERYTTE has previously been charged with the offense of felon in possession of a firearm, there is probable cause to believe that AVERYTTE is aware of his status as a convicted felon.

## **II. PROBABLE CAUSE**

3. On January 19, 2025, Minor Victim 1 (MV-1) called police to report that Antonio AVERYTTE assaulted them at a house on Faust Avenue in Detroit Michigan. MV-1 reported that during the assault, AVERYTTE had a handgun, which he fired into the floor.

4. On January 31, 2025, DPD officers executed a search warrant at the residence on Faust Avenue, relating to the January 19<sup>th</sup> felonious assault. AVERYTTE was inside in the home when officers arrived. Officers detained AVERYTTE while they searched the house.

5. Officers found documents addressed to AVERYTTE on the floor of the upstairs bedroom. Officers identified the upstairs bedroom as being utilized by AVERYTTE and his adult girlfriend.

6. Officers found a black Shield Smith and Wesson 9mm handgun with an illegible serial number on the floor of AVERYTTE's bedroom. The handgun was missing a magazine. Officers also found a Smith and Wesson magazine containing 9mm rounds on the floor by the Smith and Wesson handgun.

7. Officers found a loaded black Glock 23, .40 caliber handgun on the bed, under a pillow in AVERYTTE's bedroom.

8. On January 31, 2025, I contacted ATF Interstate Nexus Expert, Special Agent Kara Klupacs, and provided information about the Smith and Wesson and Glock handguns. SA Klupacs concluded that the firearms were manufactured outside the State of Michigan and are both firearms as defined in Title 18 U.S.C., Chapter 44, Section 921(a)(3).

### III. CONCLUSION

9. Probable cause exists to believe that between January 19, 2025 and January 31, 2025, Antonio AVERYTTE knowingly possessed a firearm and ammunition after having been convicted of a felony offense in violation of Title 18 U.S.C. Section 922(g). This violation occurring within the Eastern District of Michigan.



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James Reeves, Task Force Officer  
Bureau of Alcohol, Tobacco, Firearms and  
Explosives

Sworn to before me and signed in my presence  
And/or by reliable electronic means



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Honorable Kimberly Altman  
United States Magistrate Judge

Dated: January 31, 2025